IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF TENNESSEE COOKEVILLE DIVISION

CROSSVILLE, INC.,)	
Plaintiff,)	
v.) Case No. 2:09-cv-012) Judge Trauger	0
KEMPER DESIGN CENTER, INC.,)	
JEROME H. BERKEMEYER,)	
JIM BERKEMEYER, and EDWARD SPAR,)	
Defendants.)	
ODD	AED.	

<u>ORDER</u>

For the reasons expressed in the accompanying Memorandum, the Motion for Summary Judgment filed by defendants Kemper Design Center, Inc., Jerome Berkemeyer, Jim Berkemeyer, and Edward Spar (Docket No. 15) is **GRANTED IN PART** and **DENIED IN**PART. The liability of defendants Jerome Berkemeyer, Jim Berkemeyer, and Edward Spar as guarantors is \$36,966.02, plus contractual interest and fees. Count II of the plaintiff's Verified Complaint (Docket No. 1 ¶¶ 28-32) is dismissed as to defendant Kemper Design Center, Inc.

It is so Ordered.

Entered this 14th day of December 2010.

ALETA A. TRAUGER

United States District Judge